

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

BLUEGRASS DEVELOPEMENT CO.	}	
	}	
PETITIONER/COMPLAINANT	}	
	}	
v.	}	
	}	CASE NO. 95-061
KENTUCKY UTILITIES COMPANY	}	
AND OWEN ELECTRIC	}	
COOPERATIVE, INC.	}	
	}	
RESPONDENTS/DEFENDANTS	}	

ORDER TO SATISFY OR ANSWER

Kentucky Utilities Company and Owen Electric Cooperative, Inc. ("Defendants") are hereby notified that they have been named as defendants in a formal complaint filed on February 14, 1995, a copy of which is attached hereto.

Pursuant to 807 KAR 5:001, Section 12, Defendants are HEREBY ORDERED to satisfy the matters complained of or file a written answer to the complaint within 10 days from the date of service of this Order.


Should documents of any kind be filed with the Commission in the course of this proceeding, the documents shall also be served on all parties of record.

Done at Frankfort, Kentucky, this 3rd day of March, 1995.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:



Executive Director

BEFORE THE PUBLIC SERVICE COMMISSION

BLUEGRASS DEVELOPEMENT CO.
Petitioner/Complainant

No. 95-061

Vs.

KENTUCKY UTILITIES
Agent for service of process:
George S. Brooks
One Quality Street
Lexington, KY 40507

and

OWEN ELECTRIC COOPERATIVE, INC.
Agent for service of process:
James M. Crawford
523 Highland Ave.
Carrollton, KY 41008

Respondents/Defendants

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PUBLIC SERVICE
COMMISSION

PETITION/COMPLAINT

Comes the Petitioner/Complainant, Bluegrass Developement Co., by counsel, and for its Petition/Complaint to the Public Service Commission (PSC), states as follows:

1. The Petitioner/Complainant is a Kentucky corporation and is lawfully doing business in the Commonwealth of Kentucky.
2. The Respondent/Defendant, Kentucky Utilities, is a Kentucky corporation and is lawfully doing business in the Commonwealth of Kentucky. Kentucky Utilities is a retail electric supplier. The Post Office address of Kentucky Utilities is P.O. Box 1000, Lexington, Kentucky 40588.
3. The Respondent/Defendant, Owen Electric Cooperative, Inc., is a Kentucky corporation and is lawfully doing business in the Commonwealth of Kentucky. Owen Electric Cooperative,

Inc. is a retail electric supplier. The mailing address of Owen Electric Cooperative, Inc. is 510 South Main Street, Owenton, Kentucky 40359.

4. KRS 278.018 provides that the PSC shall determine which retail electric supplier shall serve a new electric-consuming facility which is located in two or more adjacent certified territories. In making its determination, the PSC shall rely upon the criteria provided in KRS 278.017(3).

5. The Petitioner is the developer of a residential Planned Unit Development named The Colony which is a single electric-consuming facility within the meaning of KRS 278.018. This Planned Unit Development is located in Scott County, Kentucky off of U.S. Highway 25.

6. The Colony Planned Unit Development is located in the certified territory of Kentucky Utilities, and the certified territory of Owen Electric Cooperative, Inc.

7. Owen Electric Cooperative, Inc.'s service territory was certified in 1982. Kentucky Utilities' service territory was certified in 1982.

8. The Planned Unit Development was filed with the Scott County Court Clerk's office in July of 1986, therefore it is a new electric-consuming facility within the meaning of KRS 278.018.

9. Units 1 through 4 of The Colony Planned Unit Development have previously been developed and are being served by Kentucky Utilities.

10. Kentucky Utilities should be determined to be the retail electric supplier for The Colony Planned Unit Development in order to ensure consistent electric service and maintenance throughout the Planned Unit Development.

11. Kentucky Utilities should be determined to be the retail electric supplier for The Colony Planned Unit Development based upon safety, economic and engineering factors which will benefit the Petitioner/Complainant and the ultimate consumer.

WHEREFORE, The Petitioner/Complainant, Bluegrass Development Co., hereby requests the PSC to determine that Kentucky Utilities should be the retail electric supplier to serve The Colony Planned Unit Development described above based on criteria in KRS 278.017(3).

Dated at FRANKFORT, Kentucky, this 14th day of FEBRUARY, 1995.

Greg R. Meyer
Bluegrass Development Co.

Robert C. Moore
William P. Curlin, Jr.
Robert C. Moore
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